

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
ARKANSAS, FORT SMITH DIVISION

Jerry Barnes v. Frank Bisignano, Commissioner, Social Security
Administration

Barnes · No. 2:25-cv-02147-MEF · Decided May 28, 2026

SUMMARY

The court grants Jerry Barnes’s stipulated motion for attorney’s fees under the Equal Access to Justice Act. It awards \$6,000 in fees and no costs, payable to the plaintiff subject to any valid assignment and federal debt offset, and notes that the award must be considered in determining any later fee under 42 U.S.C. § 406.

CASE DETAILS

COURT	United States District Court for the Western District of Arkansas, Fort Smith Division
WRITING FOR THE COURT	Mark E. Ford
JURISDICTION	United States District Court for the Western District of Arkansas, Fort Smith Division
DECIDED	May 28, 2026
DOCKET	2:25-cv-02147-MEF
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for attorney fees under the Equal Access to Justice Act, and the parties stipulated to an award of \$6,000 in fees and no costs.
PRECEDENTIAL VALUE	unpublished
PARTIES	Jerry Barnes v. Frank Bisignano, Commissioner, Social Security Administration

TOPICS

- attorney fees
- costs
- administrative law
- remedies
- civil procedure

PRACTICE AREAS

- Social Security
- administrative law
- attorney fees
- Equal Access to Justice Act

QUESTIONS PRESENTED

1. Whether Plaintiff was entitled to an award of attorney fees under the Equal Access to Justice Act.
2. Whether the stipulated \$6,000 fee award was appropriate under the EAJA.

HOLDINGS

1. Plaintiff was entitled to an EAJA attorney-fee award because he was the prevailing party, the government's decision to deny benefits was not substantially justified, and the parties stipulated to the requested fee.
2. The EAJA award is payable to Plaintiff, but it may be paid directly to Plaintiff's attorney if Plaintiff executed a valid assignment of the fee award and owes no outstanding federal debt.

FACTUAL BACKGROUND

The Commissioner denied Plaintiff Social Security benefits. Plaintiff was the prevailing party in the underlying litigation, and the government's position was not substantially justified. The parties stipulated to \$6,000 in attorney fees and no costs under the EAJA.

PROCEDURAL HISTORY

After prevailing in his Social Security benefits litigation, Plaintiff sought attorney fees under the EAJA. The parties stipulated to an award of \$6,000 in fees and no costs. The district court granted the stipulated award.

DISPOSITION

other

CASES CITED

- Jackson v. Bowen, 807 F.2d 127, 128 (8th Cir. 1986)
- Johnson v. Sullivan, 919 F.2d 503, 505 (8th Cir. 1990)
- Hensley v. Eckerhart, 461 U.S. 424, 430 (1983)
- Astrue v. Ratliff, 560 U.S. 586, 596 (2010)

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